

FIRE, REMOVAL AND OTHER SALES OF MERCHANDISE

_____ **COUNTY CLERK**

**INSTRUCTIONS TO APPLICANT
FORM GOB-1**

The application form package is to be filed in duplicate.

The application is to be filed under oath.

All questions on the application form are to be answered. If a question does not apply, please indicate "n/a" or "not applicable."

Suggested forms for itemizing the inventory are provided in the application package. If additional pages are required, photocopies of the continuation page may be made as needed. The form provided is designed such that the cost price of the inventory items may be removed from the page before posting.

Similar inventory forms or computer generated reports may be substituted, providing that all required information is included.

The pages of the completed application package are to be numbered consecutively and submitted in the following order:

Application
Inventory
Inventory Certification
Bond
Statement

Please direct all inquiries to the _____ County Clerk.

FIRE, REMOVAL AND OTHER SALES OF MERCHANDISE
_____COUNTY CLERK
APPLICATION FOR LICENSE
FORM GOB-1

1. Name and address of owner of goods to be sold (if partnership, corporation, firm, or association list all partners or officers):

Name	Position	Address
_____	_____	_____
_____	_____	_____
_____	_____	_____

2. Address of principal office in Kentucky:

3. Date and place of incorporation or organization:

4. Has controlling interest in the firm or business been transferred within the twelve months prior to filing this application? *YES_____ NO_____

*If yes, please specify _____

5. Name and style in which the sale is to be conducted:

6. Address of the premises where the sale is to be conducted:

7. Dates and period of time during which the sale is to be conducted:

8. Name and address of person who will be in charge and responsible for the conduct of the sale:

9. Nature of occupancy (lease or otherwise) where the sale is to be held:

Effective date of termination of the occupancy:

10. State the condition or necessity which is the occasion for the sale:
- _____
- _____
- _____
11. State the name of the sale(i.e. going out of business, closing out, liquidation, lost our lease, forced to vacate, fire, removal) and the reason why the name is truthfully descriptive of the sale:
- _____
- _____
- _____
- _____
12. If the application is for a license to conduct a removal sale (i.e. any sale held in such a manner to induce a belief that upon disposal of the stock of goods on hand, the business will cease and discontinue at the premises where the sale is conducted, and thereafter will be moved to and occupy another location) state the location of the premises to which the business is to be moved:
- _____
- _____
- _____
13. If the application is for a license to conduct a fire sale (i.e. any sale held in such a manner to induce a belief that the goods are being sold at a reduction in price due to damage by fire, smoke, water or otherwise) state the time, location, and cause of the damage:
- _____
- _____
- _____
14. Does the sale involve foods or drugs damaged by fire or other casualty? Y N
If the answer to this question is yes, the approval of the Department for Human Resources shall first be obtained before an application may be accepted.
15. A full, detailed and complete inventory of the goods that are to be sold is required and forms are provided for this purpose. (The inventory forms provided are designed in a manner to permit the licensee to separate from the page the cost price of the items before posting the inventory list in a conspicuous place.)
16. State the total value of the inventory at cost (total of all pages of the inventory attached):
\$ _____
17. State the total retail value of the inventory (total of all pages of the inventory attached):
\$ _____
18. The applicant shall execute a good and sufficient bond payable to the Commonwealth of Kentucky in the penal sum of one thousand dollars (\$1,000), with sureties approved by the court judge, conditioned on compliance with KRS 365.410 to 365.480 and 365.992.
19. The applicant shall provide and attach to the bond, a verified statement. A form is provided for this purpose.

I _____, do hereby certify that the foregoing facts
Name of duly authorized individual filing application
and information regarding the proposed sale are true and accurate.

Signature of applicant

Subscribed and sworn to before me by _____ this ____ day of _____, 19____.

Notary Public

My commission expires: _____

FIRE, REMOVAL AND OTHER SALES OF MERCHANDISE

_____.COUNTY CLERK

INVENTORY

- Required: (1) Itemize the goods to be sold and contain sufficient information concerning each item or class of items to clearly identify them. This information shall include, but not be limited to the quantity, make, brand name, model and manufacturer's number, if applicable.
- (2) List separately any goods which were purchased during a ninety (90) day period immediately prior to the date of making application for the license. Any abnormal purchase and additions to the stock of goods within ninety (90) day prior to the filing of the application for license to conduct the sale shall be presumptive evidence that the purchases and additions to stock were made in contemplation of the sale and for the purpose of selling the same at the sale.

* Cost prices listed below shall conform with the costs listed on the inventory used for the firm's or business's most recent federal income tax return adjusted for sales and purchases.

Quantity	Description of item or class of item-see requirement 1	Name & address of the seller/supplier of the items to the applicant	Date of Purchase	Date of Delivery	Cost Price	Retail Value

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INVENTORY CERTIFICATION

Total value of inventory at cost price (total of all pages) \$_____

I _____, do

(name of duly authorized individual filing application)

hereby certify that the foregoing schedules containing facts and information regarding the inventory are true and accurate.

Signature of duly authorized
individual filing application

Subscribed and sworn to before me by _____

this _____ day of _____, 19 _____.

Notary Public

My commission expires: _____

FIRE, REMOVAL AND OTHER SALES OF MERCHANDISE

_____ COUNTY CLERK

BOND

KNOW ALL MEN BY THESE PRESENTS:

That, We _____

doing business under the name and style of _____

at _____,

street

city

state

zip

county

as principal, and we _____,

as surety, hereinafter referred to as the surety, jointly and severally, firmly by their presents.

WITNESS our hand and seal: This the ____ day of _____, 19 ____.

The conditions of the above obligations are such that:

WHEREAS, the principal has been duly licensed to conduct a sale of merchandise pursuant to KRS 365.410 to 365.480 in _____, in accordance with the aforementioned statutes, providing for licensing and regulation of such sales, and therefore: If the principals shall faithfully observe all the duties, terms, conditions, provisions and requirements of KRS 365.410 to 365.480 applying to such sales, and all the lawful orders of the _____ County Court Clerk and the Commonwealth of Kentucky, issued under said statutes, said obligations shall be null and void. Said bond is made payable to the Commonwealth of Kentucky in the penal sum of One Thousand Dollars (\$1,000), said bond being conditioned on compliance with KRS 365.410 to 365.480 and 365.992 and attached hereto is a verified statement of the principal which complies with KRS 365.420(7). This obligation shall remain in full force and effect and the principals agree and consent that this undertaking is for the purpose of complying with KRS 365.410 to 365.480 and 365.992, otherwise this obligation shall be void.

SIGNED, SEALED AND DELIVERED in the presence of:

WITNESS

APPROVED

Principal

FIRE, REMOVAL AND OTHER SALES OF MERCHANDISE

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STATEMENT

I, _____, do hereby certify that:
owner or duly authorized agent

The sale is for the purpose designated in the advertising of the sale;

The inventory contains no goods on consignment or not purchased in the usual course of business for resale, on bona fide orders without cancellation or return privileges;

No goods will be added to the inventory after the application is made or during the sale;

The applicant or any person with whom the applicant is or has been associated in the business has not conducted a going out of business sale at the same location within two (2) years prior to the date of filing of the application;

No means have been established by the application for continuation of the business at the same location upon termination of the sale in the case of a going out of business sale; and the business described in such going out of business sale is to be discontinued upon termination of the sale and is not to be continued by the same person, directly or indirectly, by partnership, corporation or otherwise, under the same name or under a different name at the same location for which the inventory for the sale was filed.

No good listed in the inventory have been the subject of a licensed sale conducted within one (1) year prior to the date of the application, unless they were damaged by fire, smoke, or water while in the possession of the applicant.

Signature of owner or duly authorized agent

Subscribed and sworn to before me by _____

this _____ day of _____, 19_____.

Notary Public

My commission expires: _____

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IMPORTANT FACTS REGARDING NOTICE AND ADVERTISING

The duplicate copy of a license shall be attached to the front door of the premises where the sale is conducted in such a manner that it be clearly visible from the street. (KRS 365.455).

A copy of the application for a license to conduct a sale under KRS 365.410 to 365.480 and 365.992, including the inventory filed herewith, shall be posted in a conspicuous place in the sales room or place where the inventoried goods are to be sold, so that the public may be informed of the facts relating to the goods before purchasing same, but the copy need not show the cost price of the goods. (KRS 365.455)

All advertising relating to the sale shall prominently state the final date of the sale and the number of the license. All such advertising shall be confined to or refer only to the address and place of business specified in the inventory to be discontinued. (KRS 365.455)

If a licensee under KRS 365.410 to 365.480 and 365.992 is engaged in business in other locations, advertising or offering of goods on behalf of such other locations shall not represent or imply any participation in or cooperation with the sale on the premises specified in the license, nor shall any advertising or other offering of goods on behalf of the premises where the licensed sale is being conducted represent or imply any participation in or cooperation with such sale at other locations. (KRS 365.430).

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LICENSE

NUMBER _____

This is to certify that _____ in compliance
with sections 365.410 to 365.480 and 365.992 of the Kentucky Revised Statutes, has filed an
application with the _____ County Court Clerk to hold a
_____ at _____,
kind of sale street city
_____ County, Kentucky.

The aforesaid is hereby authorized to advertise, represent and sell only those goods listed
in said application at the premises specified for the thirty (30) day period ending
_____, 19_____.

Issued this _____ day of _____, 19_____.

County Clerk